



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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DISMISSED WITH PREJUDICE: May 25, 2011

CBCA 2060

ASCEND CONSTRUCTION MANAGEMENT, INC.,

Appellant,

v.

DEPARTMENT OF JUSTICE,

Respondent.

Harold M. Pressberg of Norton & Christensen, Goshen, NY, counsel for Appellant.

William D. Robinson and Christine M. Ciccotti, Office of General Counsel, Federal Bureau of Prisons, Department of Justice, Washington, DC, counsel for Respondent.

**SOMERS**, Board Judge.

ORDER

On June 25, 2010, Ascend Construction Management, Inc. (Ascend) appealed the deemed denial of a Department of Justice, Bureau of Prisons contracting officer concerning Ascend's claim under contract number DJB21103033 for the construction of the Witness Security Housing Unit at the Federal Correctional Institute in Otisville, New York.

On May 24, 2011, the parties filed a joint stipulation of dismissal with prejudice, stating that the parties have agreed to settle this matter and requesting that the appeal be dismissed with prejudice.

Accordingly, the appeal is **DISMISSED WITH PREJUDICE**.

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JERI KAYLENE SOMERS  
Board Judge